

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40144 of 2024

Arising Out of PS. Case No.-36 Year-2023 Thana- BHARGAMA District- Araria

MANISH KUMAR SON OF LATE SRILAL RISHIDEO RESIDENT OF
VILLAGE - KHAJURI, WARD NO.04, POLICE STATION - BHARGAMA,
DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

7 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Session Trial No. 290/2023 arising out of Bhargama P.S. Case No. 36 of 2023 dated 10.02.2023 registered for the offences punishable under Sections 302, 201 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant received informant on 10.02.2023 in the morning that his son namely Chhavi Rishideo was murdered by his in-laws. Thereafter, the informant went there, he did not find anyone in the house. It is further alleged that the elder son of the informant namely Srilal



was married to Jaimala Devi and after the death of Srilal she solemnized marriage with the younger son of the informant namely Chhavi Rishideo (deceased). It is further alleged that the deceased was habitual drinker using different types of intoxication due to which the petitioner and the co-accused persons used to abuse and assault the informant's son. The accused persons disappeared the dead body.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the grandson of the informant. The name of the petitioner has sprung up in this case on mere suspicion. The charge has been framed on 15.09.2023. There is no specific allegation against the petitioner rather the allegation of committing murder against the petitioner is general and omnibus in nature. As per Letter No. 1754 of 2024 dated 18.12.2024, no prosecution witness has been examined till date. It is further submitted that as per the post-mortem report of the deceased, the cause of death is not certain and no definite opinion can be given regarding the cause of death. Nothing has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the



bail petition. The petitioner is in custody since 10.02.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Bhargama P.S. Case No. 36 of 2023, with following conditions:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(ii) The petitioner is directed to co-operate in the trial before the learned court below.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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